IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

OP.No. 15993 of 1999(D)

PETITIONER:

M/S.GRAMOX PAPER & BOARDS LTD.,
PUTHUPADY P.O., MUVATTUPUZHA,
REP.BY ITS DIRECTOR.

BY ADV. SRI.V.GIRI
SRI.JULIAN XAVIER

RESPONDENTS:

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1. **KERALA STATE ELECTRICITY BOARD,**
   REP.BY ITS SECRETARY,
   VYDYUTHI BHAVAN, PATTOM,
   THIRUVANANTHAPURAM.

2. **CHIEF ENGINEER (TARIFF AND COMMERCIAL),**
   KERALA STATE ELECTRICITY BOARD,
   VYDYUTHI BHAVAN, PATTOM,
   THIRUVANANTHAPURAM.

3. **SPECIAL OFFICER (REVENUE)**
   KERALA STATE ELECTRICITY BOARD,
   VYDYUTHI BHAVAN, PATTOM,
   THIRUVANANTHAPURAM.

BY ADV. SRI.R.K.VENU NAYAR, SC, KSEB
SRI.P.SANTHALINGAM, SC, KSEB
SRI.C.K.KARUNAKARAN, SC FOR KSEB

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.25993/1999 IN OP. NO.15993/1999

CLOSED

1.2.2007 **SD/- K.BALAKRISHNAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE DEMAND FOR THE MONTH OF 5/99.

EXT.P2:- COPY OF THE PROCEEDINGS DT.1.7.95.

EXT.P3:- COPY OF THE APPEAL DT.20.6.99 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

/TRUE COPY/

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K.BALAKRISHNAN NAIR, J.

O.P.No.15993 of 1999-D

Dated this the Ist day of February, 2007.

JUDGMENT

The petitioner has approached this court challenging Ext.P1 demand raised by the K.S.E.B on it on various grounds. Against Ext.P1, the petitioner preferred Ext.P3 appeal before the second respondent. It is common case that what survives now is the dispute regarding levy of maximum demand charges. So, the petitioner prays that the said respondent may be directed to consider Ext.P3 appeal in so far as it relates maximum demand charges.

2. I heard the learned Standing Counsel for the K.S.E.B.

3. If Ext.P3 is even now pending, the second respondent shall pass final orders on it after affording an opportunity of being heard to the petitioner in so far as it challenges the maximum demand charges. The second respondent shall do this within two months from the date of production of a coy of this judgment. The interim order in so far as it relates to the maximum demand charges granted by this court will remain in force for three months from today.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS